

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

MAGALITA GELIN and  
JOSHUA MILES,

Defendants.

**4:14CR3054**

**MEMORANDUM AND ORDER**

Defendants Joshua Miles and Magalita Gelin have both moved to continue the pretrial motion deadline, (filing nos. 29 and 30), because the discovery materials are fairly voluminous and both the defendants live out of state. Counsel seeks this continuance so they may have additional time to communicate about the case and how best to proceed before deciding if pretrial motions should be filed.. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motions should be granted.

Accordingly,

**IT IS ORDERED:**

- 1) Defendants' motions to continue, (filing nos. 29 and 30), are granted.
- 2) **As to both defendants**, pretrial motions and briefs shall be filed on or before August 25, 2014.
- 3) **As to both defendants**, trial of this case is continued pending resolution of any pretrial motions filed.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial. Accordingly, **as to both defendants**, the additional time arising as a result of the granting of

the motion, the time between today's date and August 25, 2014, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7).

July 24, 2014.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge